

Message Text

SECRET

PAGE 01 GENEVA 06646 01 OF 02 042017Z

ACTION ACDA-10

INFO OCT-01 ERDA-05 AF-10 ARA-10 CIAE-00 DODE-00 EA-07

EUR-12 PM-05 H-01 INR-07 IO-13 L-03 NASA-01

NEA-10 NSAE-00 NSC-05 OIC-02 SP-02 PA-01 PRS-01

OES-07 SS-15 ISO-00 ACDE-00 ERDE-00 NSCE-00

SSO-00 USIE-00 INRE-00 /128 W

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FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 26

S E C R E T SECTION 1 OF 2 GENEVA 6646

FOR WARNKE (ACDA) FROM FISHER

E O 11652: GDS

TAGS: PARM

SUBJ: CCD: US-USSR WORKING GROUP ON RADIOLOGICAL WEAPONS/MASS

DESTRUCTION WEAPONS: ROUND TWO, THIRD MEETING, AUGUST 4,

1977: SOVIET DRAFT RW TEXT: MESSAGE NO. 6

1. AT THIRD MEETING OF RW/MDW WORKING GROUP THIS AFTERNOON (AUGUST 4), SOVIETS SUBMITTED ATTACHED DRAFT AGREEMENT ON PRODUCTION, DEVELOPMENT, STOCKPILING AND USE OF RADIOLOGICAL WEAPONS, TEXT OF WHICH IS TRANSMITTED. MORE DETAILED ANALYSIS OF TEXT WILL FOLLOW SEPTEL, BUT DELEGATION MAKES FOLLOWING POINTS WITH RESPECT TO ITS ANALYSIS.

2. FIRST, IN DEFINITION OF TERM "RADIOLOGICAL WEAPONS" IN ARTICLE II, TEXT AND EXPLANATORY REMARKS BOTH MAKE CLEAR THAT DRAFT TREATY DOES NOT APPLY TO ANY RADIATION CREATED IN CONNECTION WITH A NUCLEAR WEAPONS EXPLOSION, WHETHER THAT RADIATION BE DIRECT RADIATION, INDUCED RADIATION OR FALL-OUT. THIS INDICATES SOVS SERIOUS IN SEEKING TREATY AND, AT LEAST IN CONTEXT OF THIS TREATY, GIVING UP PROPAGANDA APPROACH BASED ON RECENT PUBLICITY

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SECRET

PAGE 02 GENEVA 06646 01 OF 02 042017Z

CONCERNING NEUTRON BOMB.

3. SECOND, THE SCOPE OF THE TREATY CONTAINED IN ARTICLE I COVERS DEVELOPMENT, MANUFACTURE, STOCKPILE, ACQUISITION, AS WELL AS USE OF RADIOLOGICAL WEAPONS. IN VIEW OF DEFINITION OF "RADIOLOGICAL WEAPONS" ARTICLE II, THIS WOULD NOT APPEAR TO INVOLVE PROBLEMS

WITH RESPECT TO STORAGE OF RADIOACTIVE WASTE.

4. THIRD, IN REMARKS CONCERNING DRAFT ARTICLE IV, LIKHACHEV SAID PROPOSED PROVISION WAS VERY LIMITED IN SCOPE, AND DID NOT INCLUDE ANY SPECIFIC PHYSICAL PROTECTION MEASURES, BECAUSE OF CONCERN THAT GOING ANY FURTHER MIGHT BE POSSIBLE SOURCE OF INTERFERENCE WITH PHYSICAL PROTECTION AGREEMENTS, CURRENT OR FUTURE, UNDER AUSPICES OF IAEA.

5. FOURTH, TREATY CONTAINS COMPLAINTS PROCEDURE SIMILAR TO SEABED TREATY AND BIOLOGICAL WEAPONS CONVENTION.

6. FIFTH, WHEN QUESTIONED BY USDEL ON ADVISABILITY OF HAVING AGREEMENT ON INCOMPLETE DRAFT AS FAR AS OTHER CCD MEMBERS WERE CONCERNED, SOVS STATED THEY WISHED TO COME TO AGREEMENT WITH US ON ESSENCE OF A TREATY (PROBABLY MEANING DRAFT TEXT) AND WOULD DEAL WITH PRESENTATIONAL PROBLEMS LATER, LEAVING IMPRESSION OF FLEXIBILITY.

7. COMMENT AND RECOMMENDATION: IT IS VIEW OF THE DELEGATION THIS REPRESENTS A SERIOUS SOV INITIATIVE AND THAT IT SHOULD BE POSSIBLE TO DEVELOP A JOINT INITIATIVE IN A REASONABLY SHORT PERIOD OF TIME WHICH COULD RESULT
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SECRET

PAGE 03 GENEVA 06646 01 OF 02 042017Z

IN AN AGREED DRAFT TREATY TEXT IN NOT TOO DISTANT FUTURE. RECOMMEND WE BE AUTHORIZED TO PURSUE REMAINING ISSUES WITH SOVS VIGOROUSLY AND IN PARTICULAR TO NEGOTIATE A SCOPE ARTICLE SIMILAR TO THAT PROPOSED BY THE SOVS IN VIEW OF DEFINITION OF RADIOLOGICAL WEAPONS NOT CAUSING PROBLEMS WITH OVERALL PROBLEM OF WASTE DISPOSAL AND STORAGE. END COMMDBF.

8. NEXT MEETING OF WORKING GROUP 11:30 AM FRIDAY, AUGUST 5. INTEND TO PRESENT TENTATIVE QUESTIONS. WOULD APPRECIATE INSTRUCTIONS FOR MONDAY MEETING.

9. SOVIET DRAFT TEXT FOLLOWS: QUOTE:
AGREEMENT

ON THE PROHIBITION OF THE DEVELOPMENT, MANUFACTURE, STOCKPILING AND USE OF RADIOLOGICAL WEAPONS.

THE STATES PARTIES TO THIS AGREEMENT,
GUIDED BY THE INTERESTS OF STRENGTHENING PEACE AND DESIRING
TO CONTRIBUTE TO SAVING MANKIND FROM THE DANGER OF THE USE OF
NEW MEANS OF WARFARE, TO ACHIEVING GENERAL AND COMPLETE DISARMAMENT
UNDER STRICT AND EFFECTIVE INTERNATIONAL CONTROL,

DETERMINED TO CONTINUE NEGOTIATIONS WITH A VIEW TO ACHIEVING
FURTHER PROGRESS IN THE DISARMAMENT FIELD,
CONVINCED THAT IT IS IMPORTANT TO ADOPT MEASURES PREVENTING
THE USE OF THE SCIENTIFIC AND TECHNOLOGICAL PROGRESS WITH THE VIEW
TO CREATING NEW TYPES OF SYSTEMS OF THE WEAPONS OF MASS DESTRUCTION,
INCLUDING RADIOLOGICAL WEAPONS,
CONSCIOUS ALSO THAT THE USE OF RADIOLOGICAL WEAPONS COULD
HAVE EXTREMELY PERNICIOUS CONSEQUENCES FOR MANKIND,
DESIRING TO PROHIBIT EFFECTIVE RADIOLOGICAL WEAPONS,
CONVINCED THAT THE PROHIBITION OF RADIOLOGICAL WEAPONS WILL
CONTRIBUTE TO THE PRESERVATION AND IMPROVEMENT OF NATURAL
ENVIRONMENT FOR THE PRESENT AND FUTURE GENERATIONS,
DESIRING ALSO TO CONTRIBUTE TO THE DEEPENING OF CONFIDENCE
AMONG PEOPLES AND TO THE FURTHER IMPROVEMENT OF THE INTERNATIONAL
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SECRET

PAGE 04 GENEVA 06646 01 OF 02 042017Z

SITUATION IN ACCORDANCE WITH THE PURPOSES AND PRINCIPLES OF THE
UNITED NATIONS CHARTER,

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PAGE 01 GENEVA 06646 02 OF 02 042029Z
ACTION ACDA-10

INFO OCT-01 ERDA-05 AF-10 ARA-10 CIAE-00 DODE-00 EA-07
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NEA-10 NSAE-00 NSC-05 OIC-02 SP-02 PA-01 PRS-01
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TO SECSTATE WASHDC IMMEDIATE 27

S E C R E T SECTION 2 OF 2 GENEVA 6646

ARTICLE I

1. EACH STATE PARTY TO THIS AGREEMENT UNDERTAKES NOT TO
DEVELOP, MANUFACTURE, STOCKPILE, ACQUIRE IN ANY OTHER WAY AND NOT
TO USE RADIOLOGICAL WEAPONS.

2 EACH STATE PARTY TO THIS AGREEMENT UNDERTAKES NOT TO ASSIST ENCOURAGE OR INDUCE ANY OTHER STATE, A GROUP OF STATES OR AN INTERNATIONAL ORGANIZATION TO ENGAGE IN ACTIVITIES CONTRARY TO THE PROVISIONS OF PARAGRAPH I OF THIS ARTICLE.

ARTICLE II

THE TERM "RADIOLOGICAL WEAPONS" USED IN ARTICLE I REFERS TO ANY WEAPON OF MASS DESTRUCTION OF NON-EXPLOSIVE TYPE BASED ON THE DESTRUCTIVE EFFECT OF RADIATION AND TO THE MEANS OF ITS DELIVERY.

ARTICLE III

PROVISIONS OF THIS AGREEMENT SHALL NOT PREVENT THE USE OF SOURCES OF RADIATION FOR PEACEFUL PURPOSES WHEN UNIVERSALLY RECOGNIZED PRINCIPLES AND APPLICABLE RULES OF INTERNATIONAL LAW REGARDING SUCH USE ARE OBSERVED.

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PAGE 02 GENEVA 06646 02 OF 02 042029Z

ARTICLE IV

EACH STATE PARTY TO THIS AGREEMENT UNDERTAKES, IN ACCORDANCE WITH ITS CONSTITUTIONAL PROCEDURES, TO TAKE ANY MEASURES WHICH IT DEEMS NECESSARY TO PROHIBIT AND PREVENT ANY ACTIVITIES CONTRARY TO THE PROVISIONS OF THIS AGREEMENT, UNDER ITS JURISDICTION OR UNDER ITS CONTROL, WHEREVER IT MAY BE.

ARTICLE V

1. STATES PARTIES TO THIS AGREEMENT UNDERTAKE TO CONSULT ONE ANOTHER AND CO-OPERATE IN SOLVING ANY QUESTIONS WHICH MAY ARISE WITH RESPECT TO THE PURPOSES OR IN CONNECTION WITH THE IMPLEMENTATION OF THE PROVISIONS OF THIS AGREEMENT. THE CONSULTATIONS AND CO-OPERATION TO EXECUTE THIS ARTICLE MAY BE ALSO CARRIED OUT BY USING APPROPRIATE INTERNATIONAL PROCEDURE IN THE FRAMEWORK OF THE UNITED NATIONS ORGANIZATION AND IN ACCORDANCE WITH ITS CHARTER. THOSE INTERNATIONAL PROCEDURES MAY INCLUDE THE USE OF SERVICES OF AN APPROPRIATE INTERNATIONAL ORGANIZATION.

2. ANY STATE PARTY TO THIS AGREEMENT WHICH HAS GROUNDS TO SUPPOSE THAT ANY OTHER STATE PARTY ACTS IN VIOLATION OF THE OBLIGATIONS UNDER THE PROVISIONS OF THE AGREEMENT, MAY LODGE A COMPLAINT WITH THE SECURITY COUNCIL OF THE UNITED NATIONS. SUCH COMPLAINT MUST CONTAIN ALL RELEVANT INFORMATION AS WELL AS EVERY POSSIBLE EVIDENCE CONFIRMING ITS VALIDITY.

3. EACH STATE PARTY TO THIS AGREEMENT UNDERTAKES TO CO-OPERATE IN CARRYING OUT INVESTIGATIONS WHICH THE SECURITY COUNCIL MAY INITIATE, IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER OF THE

UNITED NATIONS, ON THE BASIS OF THE COMPLAINT RECEIVED BY THE
SECURITY COUNCIL. THE SECURITY COUNCIL SHALL INFORM THE STATES
SECRET

SECRET

PAGE 03 GENEVA 06646 02 OF 02 042029Z

PARTIES OF THE RESULTS OF THE INVESTIGATION.

4. EACH STATE PARTY TO THIS AGREEMENT UNDERTAKES TO PROVIDE
OR SUPPORT ASSISTANCE, IN ACCORDANCE WITH THE CHARTER OF THE
UNITED NATIONS, TO ANY STATE PARTY WHICH SO REQUESTED, IF THE
SECURITY COUNCIL DECIDES THAT SUCH STATE PARTY HAS BEEN EXPOSED
TO DANGER AS A RESULT OF VIOLATION OF THE AGREEMENT.

ARTICLE VI

1. A STATE PARTY MAY PROPOSE AMENDMENTS TO THIS AGREEMENT.
EACH PROPOSED AMENDMENT SHALL BE SUBMITTED TO THE DEPOSITARY
WHICH SHALL PROMPTLY TRANSMIT IT TO ALL STATES PARTIES.

2. THE AMENDMENT SHALL ENTER INTO FORCE FOR EACH STATE PARTY
ACCEPTING THE AMENDMENT AFTER THE DEPOSIT WITH THE DEPOSITARY OF
DOCUMENTS ON ITS ACCEPTANCY BY A MAJORITY OF THE STATES PARTIES.
THEREAFTER THE AMENDMENT ENTERS INTO FORCE FOR EACH REMAINING
STATE PARTY ON THE DATE OF THE DEPOSIT BY IT OF THE ACCEPTANCE
DOCUMENT.

ARTICLE VII

THIS AGREEMENT SHALL BE OF UNLIMITED DURATION.

ARTICLE VIII

1. THIS AGREEMENT SHALL BE OPENED TO ALL STATES FOR SIGNATURE.
A STATE WHICH DOES NOT SIGN THE AGREEMENT BEFORE ITS ENTRY INTO
FORCE IN ACCORDANCE WITH PARAGRAPH 3 OF THIS ARTICLE MAY ACCEED TO
IT AT ANY TIME.

2. THIS AGREEMENT SHALL BE SUBJECT TO RATIFICATION BY
SIGNATORY STATES. INSTRUMENTS OF RATIFICATION AND ACCESSION SHALL
BE DEPOSITED WITH THE SECRETARY GENERAL OF THE UNITED NATIONS.

SECRET

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PAGE 04 GENEVA 06646 02 OF 02 042029Z

3. THIS AGREEMENT SHALL ENTER INTO FORCE UPON THE DEPOSIT
OF THE INSTRUMENTS OF RATIFICATION BY ... GOVERNMENTS IN ACCORDANCE
WITH PARAGRAPH 2 OF THIS ARTICLE.

4. FOR STATES WHOSE INSTRUMENTS OF RATIFICATION OR ACCESSION ARE DEPOSITED SUBSEQUENT TO THE ENTRY INTO FORCE OF THIS AGREEMENT, IT SHALL ENTER INTO FORCE ON THE DATE OF THE DEPOSIT OF THEIR INSTRUMENTS OF RATIFICATION OR ACCESSION.

5. THE DEPOSITARY SHALL PROMPTLY INFORM ALL SIGNATORY OR ACCEEDING STATES OF THE DATE OF EACH SIGNATURE, THE DATE OF DEPOSIT OF EACH INSTRUMENT OF RATIFICATION OR ACCESSION AND A DATE OF ENTRY INTO FORCE OF THIS AGREEMENT, AS WELL AS OF ANY AMENDMENT TO IT AND OF THE RECEIPT OF OTHER NOTICES.

6. THIS AGREEMENT SHALL BE REGISTERED BY THE DEPOSITARY PURSUANT TO ARTICLE 102 OF THE CHARTER OF THE UNITED NATIONS.

ARTICLE IX

THIS AGREEMENT, THE ARABIC, CHINESE, ENGLISH, FRENCH, RUSSIAN AND SPANISH TEXTS OF WHICH ARE EQUALLY AUTHENTIC, SHALL BE DEPOSITED WITH THE SECRETARY GENERAL OF THE UNITED NATIONS WHO SHALL TRANSMIT DULY CERTIFIED COPIES OF THE AGREEMENT TO THE GOVERNMENTS OF THE SIGNATORY AND ACCEEDING STATES.

IN WITNESS WHEREOF THE UNDERSIGNED, DULY AUTHORIZED, HAVE SIGNED THIS AGREEMENT.

DONE IN.... COPIES, AT.... ON THE DAY OF.....
END QUOTE
VANDEN HEUVEL

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Message Attributes

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